



IN THE DRAWINGS

A proposed change to Fig. 1 is submitted herewith, with a Letter to the Official Draftsman.

REMARKS

Reconsideration and allowance are respectfully requested in light of the above amendments and the following remarks.

A proposed change to Fig. 1 is submitted herewith to overcome the objection thereto.

Claims 1-16 have been canceled in favor of new claims 17-27. Support for the subject matter of claims 17-27 is provided in the original claims.

The cancelation of claim 12 obviates the objection thereto. Regarding the objections to claims 13 and 14 for being missing from the application, in the PTO-dated-stamped filing receipt (copy attached), dated February 28, 2002, the PTO expressly acknowledged receipt of an application containing 16 claims.

Claims 1-3, 11, 15, and 16 were rejected, under 35 USC §103(a), as being unpatentable over Parkvall et al. (US 6,542,736) in view of Lee et al. (US 6,690,944). Claims 4-9, 11, and 12 were rejected, under 35 USC §102(e), as being anticipated by Lee. To the extent these rejections may be deemed applicable to new claims 17-27, the Applicants respectfully traverse.

New claim 17 recites:

*A base station apparatus comprising:
a receiving section that receives information of the
reception quality of a control channel signal measured at a
communication terminal apparatus;*

an estimation section that estimates the reception quality of a data channel signal at the communication terminal apparatus based on the information of the reception quality of said control channel signal and transmit power values of the control channel and the data channel signal at the base station apparatus; and

a transmitting section that transmits the data channel signal according to a modulation system and coding system decided using the estimated reception quality of the data channel signal.

The Applicants respectfully submit that the applied references, considered alone or in combination, fail to teach or suggest the feature recited in claim 17 of estimating the reception quality of a data channel signal, to be received at a communication terminal apparatus, based on information of the reception quality of a control channel signal measured at the communication terminal apparatus and transmit power values of the control channel and the data channel signals assigned by the base station apparatus. The claimed invention provides an estimate of the reception quality of a data channel signal to be received at a communication terminal apparatus before the data channel signal is transmitted.

The Office Action acknowledges that Parkvall does not disclose the above-mentioned feature (see Office Action page 4, lines 2-4), but proposes that Lee teaches this feature in column 2, lines 56-67, column 10, line 63, through column 11, line 2,

and column 11, lines 15-20 (page 4, lines 4-9). The Applicants respectfully disagree with this proposal.

Lee discloses in column 2, lines 56-67, a base station having a plurality of receivers that each estimate a power characteristic of a different physical channel communicated by a mobile station. Based on the plurality of estimated power characteristics, the base station generates one or more power control bits that it sends to the mobile station. Lee does not teach or suggest in this cited portion the present claim limitations wherein the base station: (1) receives information of the reception quality of a control channel signal measured at the communication terminal apparatus or (2) estimates the reception quality of a data channel signal, to be received at a communication terminal apparatus using: (a) the information received from the communication terminal apparatus, (b) a transmit power value of the control channel signal, and (c) a transmit power value of the data channel signal, which transmit power values are known by the base station apparatus.

Lee discloses in column 10, line 63, through column 11, line 2, that the base station may estimate the SINR for a pilot channel received from the mobile station. And in column 11, lines 15-20, Lee discloses that the estimated SINR for the received pilot channel may be used to improve the generation of

the one or more power control bits and determine when a handoff is required. Accordingly, Lee does not teach the above-mentioned limitations (1) and (2)(a)-(2)(c) in these cited portions either.

By contrast to limitations (1) and (2)(a), Lee teaches that the base station generates the one or more power control bits using the quality estimates of signals received only by the base station itself. Lee's base station does not use information measured by and received from the mobile station for this purpose.

By contrast to limitations (2)(b) and (2)(c), Lee teaches generating the one or more power control bits from the quality estimates of the multiple signals, including a pilot signal, previously received from the base station. Lee does not teach estimating a prospective reception quality of a data channel signal, to be received at a communication terminal apparatus, using transmit power values assigned to the control and data channels.

Claim 17 distinguishes over Lee in three ways with regard to limitations (2)(b) and (2)(c). The claimed base station can: (i) estimate a prospective reception quality, rather than just a previous reception quality, (ii) estimate the reception quality for a signal it will transmit to a communication partner, rather than just estimating the quality of signals that it has received,

and (iii) estimate the reception quality based on power values assigned to its outgoing control and data channel signals.

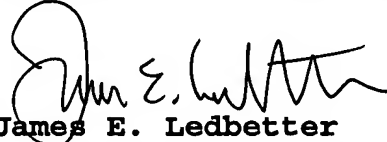
Accordingly, the Applicants submit that the applied references, alone or together, do not disclose or suggest the subject matter defined by claim 17. Independent claim 25 similarly recites the above-mentioned feature distinguishing apparatus claim 17 from the applied references, although with respect to a method. Therefore, allowance of claims 17 and 25 and dependent claim 18 is warranted.

Independent claims 19, 22, 26, and 27 similarly recite the above-mentioned limitations (1) and (2)(a)-(2)(c) with the exception that a communication terminal apparatus estimates the reception quality of a data channel signal using its measurement of a control channel's reception quality and information received from a base station regarding transmit power values assigned to the data and control channel signals. For reasons analogous to those provided with respect to claim 17, claims 19, 22, 26, and 27 also patentably distinguish over the combined teachings of the applied references. Therefore, allowance of claims 19, 22, 26, and 27 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



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Date: September 2, 2005
JEL/DWW/att

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RELATED ART

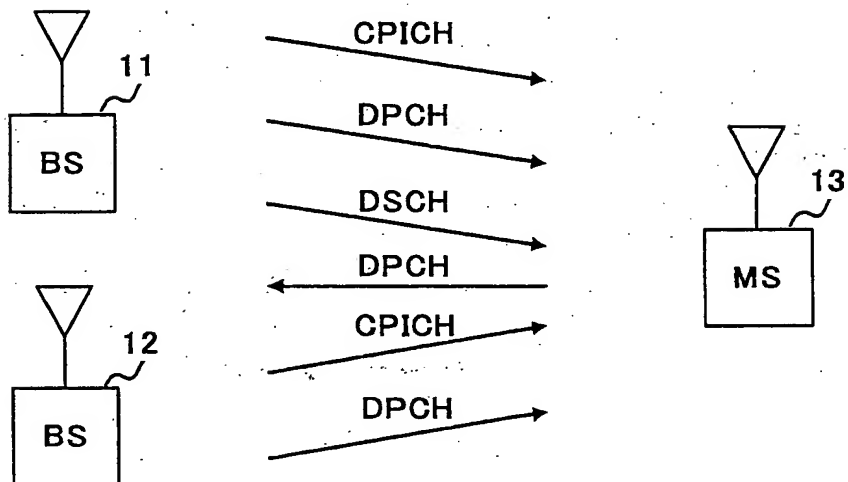


FIG.1

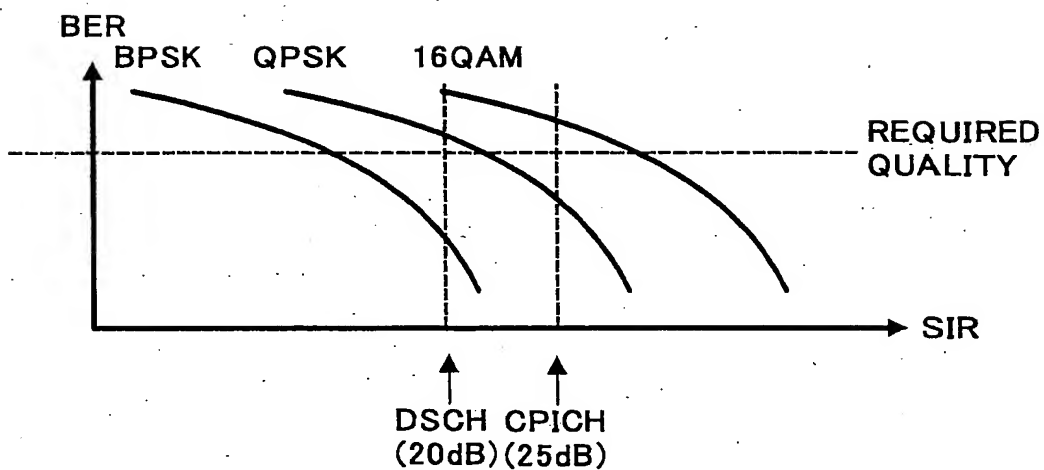


FIG.2